

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Roque “Rocky” De La Fuente,

Civil No. 19-CV-2995 (DSD/HB)

Plaintiff,

vs.

SECRETARY’S
MOTION TO DISMISS COMPLAINT

Steve Simon, in his official capacity as the
Secretary of State of the State of
Minnesota,

Defendant.

Pursuant to Fed. R. Civ. P. 12(b)(6), Defendant Steve Simon respectfully moves the Court for an order dismissing all claims in Plaintiff Roque De La Fuente’s complaint for failure to state a claim upon which relief can be granted.

This motion is based on a memorandum of law and one or more affidavits and exhibits to be filed in accordance with the Court’s order regarding dispositive motion procedure, and on all the files, records, and proceedings herein.

Dated: December 23, 2019

Respectfully submitted,

KEITH ELLISON
Attorney General
State of Minnesota

s/Nathan J. Hartshorn
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OFFICIAL CAPACITY AS MINNESOTA
SECRETARY OF STATE